

CITY COUNCIL MEETING

Tuesday, April 12, 2016

Grimes City Hall 5:30 P.M.

The regular meeting of the Grimes City Council was called to order by Mayor Tom Armstrong on Tuesday, April 12, 2016 at 5:30 P.M. at the Grimes City Hall. The Pledge of Allegiance was led by Alex Noble of Boy Scout Troop 171.

Roll Call: Present: Altringer, Bickford, Hamp, Johansen, Absent: Blackford

GENERAL AGENDA ITEMS.

APPROVAL OF THE AGENDA

Mayor Armstrong asked for approval of the agenda.

Moved by Altringer, Seconded by Hamp; the Agenda shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Approval of the Consent Agenda

A. Minutes from previous meeting B. Request to close NE 2nd from NE Jacob to alley on 5/28/16 for graduation party C. Sauerman & Son Inc. – Ag Lime for infields and warning racks at South Complex, waterworks an Lions Park baseball and softball fields - \$2,979.68 D. Mid-American Energy – Purchase five (5) light poles and installation Crossroad Business Park of Grimes Plat 6 \$24,774.45 (City will be reimbursed by developer) E. Mississippi Lime Company – Quicklime for water plant \$3,597.00 F. Mississippi Lime Company – Quicklime for water plant \$3,549.00 G. Greater Des Moines Convention & Visitors Bureau – Hotel Motel Tax Giving \$3937.26 H. Central Pump & Motor, LLC – Baldor Motor \$5097.21 I. A&W Electric Inc. wiring for fuel tank - \$3,091.88 J. Engagement Letter for Bond Counsel Services with Dorsey and Whitney LLP K. Iowa Department of Transportation Project Approval #BRM-3125(613)-8N-77 (development and completion of bridge project N James Street over Little Beaver Creek) L. RightStuf – Development Agreement Payment \$4,883. M. IOWADOT - \$2,508.77 (material testing for SE 19th Street Project) N. MidAmerican Energy - \$14,026.64 (Grimes Waste Water Treatment Plant Upgrade to provide underground primary distribution system and pad mounted transformer of 277/480 volt, three-phase, four-wire underground electric service for project) O. Conduit Systems License Agreement - agreement between City of Grimes and Iowa Network Services, Inc to provide conduit system specifically for the use of telecommunication providers and expressly for the purpose of providing fiber optic based broadband connectivity. P. Ronald Pearce Asphalt Paving \$17,500 (overlay between 7th and 8th on NE Harvey Street and continue the intersection of 8th Street. Q. Change Order #1 Rice Lake Construction Group for the Water/Wastewater Improvements increasing contract \$89,000 (cover gross pricing error made by Custom Conveyor) R. Rice Lake Construction bid for piping and misc work for emergency Reverse Osmosis System \$218,750.00 (revised bid) S. Jetco Electric bid for electrical and controls work for the emergency reverse osmosis system \$56,750 T. Utility Refunds U. Resolution 04-0416 Setting Date for Public Hearing on Urban Renewal Plan Amendment for May 10, 2016 V. Letter of Engagement with Dorsey and Whitney for the Urban Renewal Plan Amendment W. Payment #3 Covenant Construction Services, LLC \$70,727.87 (2015 Grimes Parkland Improvements Project) X. Change Order #2 Covenant Construction Services, LLC increasing contract \$4,200 to include addition of ag-lime to touch up warning tracks and infields for fields in North Sports Complex (2015 Grimes Parkland Improvements Project) Y. Payment #4 to McAninch Corporation \$60,361.86 for Crossroads Business Park of Grimes

Plat 6 – SE Destination Drive Extension Z. Payment #7 Jensen Construction Company \$140,317.85 for the Heritage at Grimes Plat 2 Phase 2 Little Beaver Creek Tributary Crossing a. Change Order #3 to Jensen Construction Company increasing contract \$20,705 for additional labor, materials, equipment and trucking required addressing a conflict between the proposed box culvert retaining wall footing and the existing sanitary sewer for the Heritage at Grimes Plat 2 Phase 2 Little Beaver Creek Tributary Crossing b. Harn R/O \$5,500 (monthly lease and pilot report) c. Iowa Signal Inc. \$2,665 (created a full 3 lanes east bound on SE 19th Street and to relocate the signal loops to help ease traffic d. Claims Report for April 12, 2016 in the amount of \$760,054.78 e. Finance Report for March 2016 f. Request for reduction in sewer charges g. McKinney Excavating \$3,000 (reshape and grade swale on west edge of North Sports Complex due water issues)

Moved by Hamp, Seconded by Altringer; the Consent Agenda shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

Fire Department Report

Deputy Chief Ron Schipper was present to update the Council on the department's activities. He advised for the month of March they had 80 calls for service of which 65% were EMS. He added that their year to date calls were 232 which is 42 call ahead of last year. Deputy Chief Schipper stated that they had one of the largest fires at 1010 SE Dolan with around \$150,000 loss. Deputy Chief Schipper added they had also had a fire in our district on April 3 on 210th Street which resulted in about \$10,000 damage to an out building. He stated they responded to a mutual aid fire in Johnston off of 86th Street. He added that it was an outstanding job done by our crews. Deputy Chief Schipper stated they were preforming testing for lieutenant promotions. He also wanted to thank the City for putting up the banners advertising the upcoming Fireman's Association pancake feed on May 7, 2016. Council Member Altringer asked what departments all aided in the fire on Dolan. Deputy Chief Schipper stated this was the maiden fire for the new truck and it performed outstanding. He added that units came from Johnston, Urbandale, Dallas Center and Polk City.

Patrol Report

Chief Tim Krum from the Polk County Sheriff's department was present. He advised for the month there were 539 calls and trips, 191 traffic stops with 55 tickets and 81 warnings. He added that there had not been any accidents on Hwy 141 but they were having focusing on this area to keep the traffic slowed down.

Presentation from DART – Des Moines Area Regional Transit Authority – Elizabeth Presutti

Elizabeth Presutti the General Manager of DART was present to update the Council. Presutti reviewed with the Council the current routes and different services available. She also discussed some long range planning being done by DART to accommodate the increase in the population forecasted. DART Commissioner and Council Member in Urbandale Tom Gayman addressed the Council. Commissioner Gayman thanked the City for their support of DART. He added he represents Grimes, Johnston, and Urbandale with DART. Commissioner Gayman wanted to thank Brian Buethe and Mayor Armstrong for all their help with different economic opportunities that have come to the area. Presutti added that she wanted to introduce the new Chief Operating Officer Tim Sanderson.

Alex Noble – Eagle Scout Project

Alex Noble of Boy Scout Troop 171 presented an Eagle Scout Project for approval. Noble reviewed his plan for replacing some fencing at Lions Park. Noble asked for assistance with putting up no parking signs during the construction and assistance to haul the old fencing away.

Moved by Johansen, Seconded by Bickford; the fencing project at Lions Park as presented and the request to assist Noble with the parking issues and removal of the old fencing shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

PUBLIC AGENDA

A. Gateway Industrial Park Preliminary Plat

Brent Culp of Snyder & Associates, Inc 2727 SE Snyder Blvd, Ankeny addressed the Council on behalf of OPUS Group. Jeff Smith the Regional Director of OPUS was also present. Culp stated that the 78 ½ acre project was located on the SE quadrant of SE 19th Street and Highway 141 and includes the extension of SE Gateway Drive as well as the extension of SE Little Beaver Drive. Culp stated there are a total of 5 lots ranging in size from approximately 12 acres to 18 ½. He added that Lot 1 is in the Highway 141 Mixed Used Corridor Zone 1 and Lot 2 is in the Highway 141 Mixed Use Corridor Zone 2 and the Transportation Overlay District and Lot 5 is in the Transportation Overlay District. Culp stated that the proposed Outlot X will allow Lot 2 to avoid being classified as entirely in Zone 1 of the Highway 141 Corridor. He added that Fox Engineering recommended removing Outlot X and adding a note to the preliminary and final plats stating that Lot 2 shall be considered Zone 2 of the Highway 141 Corridor and advised that Planning and Zoning recommended this recommendation.

Moved by Bickford, Seconded by Altringer; the Gateway Industrial Park Preliminary Plat shall be approved subject to Fox Engineering letter dated March 29, 2016, Planning and Zoning's recommendation with the removal of outlot X, and adding a note to the preliminary and final plats stating that Lot 2 shall be considered Zone 2 of the Hwy 141 Corridor.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

B. Public Hearing on General Obligation Refunding Loan Agreement

Mayor Armstrong opened the Public Hearing at 6:31 pm. There being no oral or written comments the Hearing was closed at 6:31pm.

C. Public Hearing on General Obligation Water Improvement Loan Agreement

Mayor Armstrong opened the Public Hearing at 6:32 pm. There being no oral or written comments the Hearing was closed at 6:32 pm.

D. Resolution 04-0316 Taking Additional Action On Proposal To enter Into Loan Agreements, Combining Loan Agreements and Authorizing the Use of a Preliminary Official Statement for the Sale of Bonds

Moved by Altringer, Seconded by Hamp; Resolution 04-0316 taking additional action on proposal to enter into loan agreements, combining loan agreements and authorizing the use of a preliminary official statement for the sale of bonds shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

E. Form of Letter Amendment Agreement to Serve as Dissemination Agent for Secondary Market and Disclosure Agreement to Serve as Dissemination Agent for Secondary Market

Disclosure Addendum between City of Grimes and Piper Jaffray and Co.

Moved by Johansen, Seconded by Altringer; the agreement between the City of Grimes and Piper Jaffray and Company with regard to the bond sale shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

F. Request from Governor's District Alliance to show outdoor movies and temporary street closure

John Koester from the Governors District Alliance was present to request that the Governors District Alliance along with local business would like to show three outdoor movies in Grimes in the Governors District this summer. He added the target date is the first Friday of the summer months including June 3, July 1 and August 5th. Koester asked if the City would help with shutting down a portion of the Governors District to help with this event. Council Member Johansen asked if other business had been contacted who might be affected by the closure. Koester stated that most of them had been contacted but he would make sure all were aware.

Moved by Altringer, Seconded by Hamp; the request for outdoor movies and the temporary street closure shall be approved.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

PUBLIC FORUM

No one addressed the Council.

COUNCIL ACTIONS

A. Third Reading of Ordinance 654 granting Black Hills/Iowa Gas Utility Company, LLC d/b/a Black Hills Energy, a Delaware Corporation, its lessees, successors and assigns, a natural gas franchise and the authority to construct, operate, maintain, and extend a natural gas distribution plant and system, and granting the right to use the streets, alleys, and other public places within the present or future corporate limits of the City of Grimes, Iowa.

Moved by Altringer, Seconded by Johansen; the Second Reading of Ordinance 654 granting Black Hills/Iowa Gas Utility Company, LLC d/b/a Black Hills Energy, a Delaware Corporation, its lessees, successors and assigns, a natural gas franchise and the authority to construct, operate, maintain, and extend a natural gas distribution plant and system, and granting the right to use the streets, alleys, and other public places within the present or future corporate limits of the City of Grimes, Iowa shall be approved.

Roll call. Ayes: all. Nays: none. Motion passes 4 to 0.

Moved by Altringer, Seconded by Johansen; Ordinance 654 shall now receive its Final Passage.

Roll call. Ayes: all. Nays: none. Motion passes 4 to 0.

B. Resolution 04-0116 Dispensing With The Special Election Requirement On The Matter Of Granting A Gas Franchise To Black Hills/Iowa Gas Utility Company, LLC, D/B/A Black Hills Energy

Moved by Bickford, Seconded by Hamp; Resolution 04-0116 dispensing with the special election requirement on the matter of granting a gas franchise to Black Hill/Iowa Gas Utility Company, LLC, D/B/A Black Hill Energy shall be approved.

Roll call. Ayes: all. Nays: none. Motion passes 4 to 0.

COUNCIL DISCUSSIONS

Mayors Report

a. Monarch Pledge – Plant Grow, Fly Program

Moved by Johansen, Seconded by Bickford; Mayor Armstrong shall be authorized to sign the Monarch Pledge.

Roll call. Ayes: all. Nays: none. Motion passes 4 to 0.

Mayor Armstrong advised that Board of Adjustment member Eric Rehm was present and had sent a letter to the Council regarding his appointment. Rehm addressed the Council. He advised the Council that due to unforeseen circumstances his family was moving from Grimes to Johnston. Rehm advised that he wished to continue on Board but understood that although the Ordinance didn't specifically state it, it may be a requirement to live in Grimes to be on the Board. Council Member Altringer and Johansen voiced that they felt the intent of the Code was that Board members be residents of Grimes. Council Member Bickford stated that he did not have issue with Rehm not living in Grimes and being on the Board. The Council thanked Rehm for his service on the Board. Rehm stated that he would not be moving until the end of May so he wished to stay on the Board until that time. Mayor Armstrong addressed Rehm and said the he had heard the thought of the Council so it was up to Rehm to decide what to do. Mayor Armstrong also thanked him for serving on the Board. Rehm stated that he totally understood the concerns and thanked them.

City Attorney Report

City Attorney Henderson advised he was watching a case in the Supreme Court regarding TIF which could have wide spread implications to City government and he would keep the Council updated. He added currently this is being challenged in Pleasant Hill.

City Engineer Report

No Report

City Staff Report

Old Business

New Business

Recess Open Session at 6:55 pm.

Reconvene Open Session at 7:02 pm.

Resolution 03-0416 providing for Closed Session ref 21.5 1 (c) To discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Moved by Hamp, Seconded by Altringer; Resolution 03-0416 shall be approved.

Roll call. Ayes: all. Nays: none. Motion passes 4 to 0.

Rise from Closed Session

Moved by Johansen, Seconded by Bickford; the City Council shall rise from Closed Session at 7:35 p. m.

Roll call. Ayes: all. Nays: none. Motion passes 4 to 0.

Reconvene Open Session

Moved by Hamp, Seconded by Bickford; to reconvene open session.

New Business – cont.

Mayor Armstrong advised there was no action coming out of Closed Session.

Moved by Hamp; Seconded by Altringer; there being no further business, the meeting shall be adjourned at 7:35 p.m.

Roll Call: Ayes: All. Nays: None. Motion passes: 4 to 0.

ATTEST:

Rochelle Williams, City Clerk

Thomas M. Armstrong, Mayor

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